103D CONGRESS 2D SESSION

H. R. 4046

To amend subchapter II of chapter 73 of title 10, United States Code, to prevent cost-of-living increases in the survivor annuity contributions of uniformed services retirees from becoming effective before related cost-of-living increases in retired pay become payable.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1994

Mrs. Thurman introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend subchapter II of chapter 73 of title 10, United States Code, to prevent cost-of-living increases in the survivor annuity contributions of uniformed services retirees from becoming effective before related cost-of-living increases in retired pay become payable.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

1	SECTION 1. COST-OF-LIVING INCREASES IN SBP CONTRIBU-
2	TIONS TO BE EFFECTIVE CONCURRENTLY
3	WITH PAYMENT OF RELATED RETIRED PAY
4	COST-OF-LIVING INCREASES.
5	(a) Survivor Benefit Plan.—Section 1452(h) of
6	title 10, United States Code, is amended—
7	(1) by inserting "(1)" after "(h)"; and
8	(2) by adding at the end the following new
9	paragraph:
10	"(2)(A) Notwithstanding paragraph (1), when the
11	initial payment of an increase in retired pay under section
12	1401a of this title (or any other provision of law) to a
13	person is later than the effective date of that increase by
14	reason of the application of subsection $(b)(2)(B)$ of such
15	section, then the amount of the reduction in the person's $% \left(1\right) =\left(1\right) \left(1\right) \left($
16	retired pay shall be effective on the date of that initial
17	payment of the increase in retired pay rather than the ef-
18	fective date of the increase in retired pay.
19	"(B) Subparagraph (A) may not be construed as de-
20	laying, for purposes of determining the amount of a
21	monthly annuity under section 1451 of this title, the effec-
22	tive date of an increase in a base amount under subsection
23	(h) of such section from the effective date of an increase
24	in retired pay under section $1401a$ of this title to the date
25	on which the initial payment of that increase in retired

- 1 pay is made in accordance with subsection (b)(2)(B) of
- 2 such section 1401a.".
- 3 (b) Effective Date.—The amendment made by
- 4 subsection (a) shall take effect with respect to retired pay
- 5 payable for months beginning on or after the date of the
- 6 enactment of this Act.

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